


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.
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ROBERT R. DI TROLLO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

COURTNEY MONTEZ MEANS,

Plaintiff,

vs.

SHELBY COUNTY, et al.,

Defendants.

Civ. No. 03-2352-M1/P

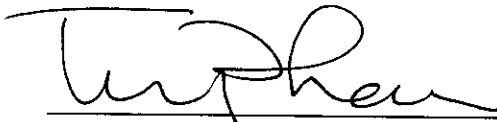
ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION FOR
AN ORDER REQUIRING PLAINTIFF TO ANSWER INTERROGATORIES AND
PRODUCE DOCUMENTS, OR IN THE ALTERNATIVE, TO DISMISS THE CASE,
AND PLAINTIFF'S MOTION FOR PROTECTIVE ORDER

Before the court is defendants' Motion for an Order Requiring Plaintiff to Answer Interrogatories and Produce Documents, or in the Alternative, to Dismiss the Case, filed May 13, 2005 (dkt #107), and plaintiff's Motion for Protective Order, filed May 16, 2005 (dkt #110). Defendants contend that counsel served plaintiff's counsel with interrogatories and requests for production of documents on April 6, 2005. On May 10, 2005, defense counsel contacted plaintiff's counsel and asked about the status of the responses. At that time, plaintiff's counsel informed defense counsel that they did not know exactly when plaintiff would respond to the discovery requests, because he is a prisoner and is currently incarcerated. On May 12, 2005, plaintiff's counsel hand-

delivered a letter to defense counsel asking for a thirty-day extension to respond to the discovery requests. Defense counsel did not agree to the extension, and on May 13, filed their motion. On May 16, plaintiff filed his motion for an extension of time to respond to the discovery requests.

Since plaintiff's responses to the interrogatories and document requests were due by May 6, 2005, plaintiff's motion for protective order should have been filed prior to that date. However, in light of the fact that plaintiff is incarcerated, the court finds good cause to grant a limited extension of time to allow him to respond to the discovery requests. Defendants' motion and plaintiff's motion are GRANTED in part and DENIED in part. Plaintiff shall have until June 15, 2005, to respond to the outstanding interrogatories and document requests.

IT IS SO ORDERED.



TU M. PHAM
United States Magistrate Judge
June 6, 2005

Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 114 in case 2:03-CV-02352 was distributed by fax, mail, or direct printing on June 9, 2005 to the parties listed.

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Honorable Tu Pham
US DISTRICT COURT